

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION

CLERK'S OFFICE U.S. DIST. COURT  
AT DANVILLE, VA  
FILED for  
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APR 21 2006  
JOHN F. CORCORAN, CLERK  
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REGINALD EUGENE HAYDEN,	)	
Petitioner,	)	Civil Action No. 7:06CV00211
	)	
v.	)	<u>FINAL ORDER</u>
	)	
UNITED STATES OF AMERICA,	)	By: Hon. Jackson L. Kiser
Respondent.	)	Senior United States District Judge

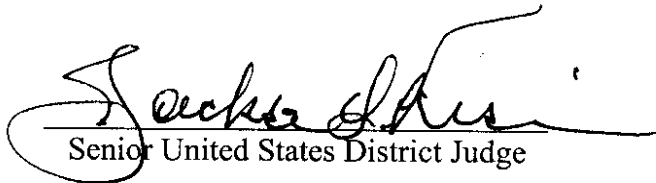
In accordance with the memorandum opinion entered this day, it is now

**ADJUDGED AND ORDERED**

that the petitioner's motion for relief under Rule 60(b) of the Federal Rules of Civil Procedure shall be and hereby is **CONSTRUED** as a motion to vacate, set aside or correct sentence pursuant to 28 U.S.C. § 2255, and **DISMISSED** without prejudice as successive. This action shall be **STRICKEN** from the active docket of the court.

The Clerk is directed to send certified copies of this order and the accompanying memorandum opinion to the petitioner and counsel of record for the respondent.

ENTER: This 21<sup>st</sup> day of April, 2006.

  
Senior United States District Judge